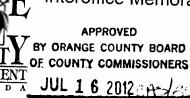
Interoffice Memorandum



AGENDA ITEM

June 22, 2012

TO:

Mayor Teresa Jacobs

- AND -

Board of County Commissioners

THRU:

Melvin Pittman, Director

Community and Environmental Services Department

FROM:

Mitchell L. Glasser, Manager

Housing and Community Development Division

SUBJECT:

Consent Agenda Item - July 16, 2012

2012- 2013 Public Housing Agency Annual Plan

The Department of Housing and Urban Development (HUD) requires Public Housing Agencies (PHA's) to submit an Annual Plan. The Plan identifies strategies to meet the housing needs for the elderly, disabled, and very low-income families that participate in the Housing Choice Voucher Program (Section 8 rental assistance).

In accordance with the requirements of the Housing Choice Voucher Program, a resident advisory board composed of tenants currently participating in the Section 8 program, met on April 10, 2012 to review the Plan. The advisory board members did not have any objections or concerns regarding the plan. In an effort to solicit input on the plan, a notice soliciting public input was published in the Orlando Sentinel on May 5, 2012. The notice provided a forty-five day public comment period. Additionally, a public hearing was conducted on June 20, 2012 to provide an opportunity for the public to comment on the Plan. There were no comments received from the public during the public comment period.

ACTION REQUESTED:

Approval of 2012-2013 Public Housing Agency Annual Plan, PHA Certifications of Compliance with PHA Plans and Related Regulations, and Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan for the Housing Choice Voucher Program (Section 8 rental assistance). All Districts.

Attachments

c: Chris Testerman, Assistant County Administrator Pat Bythwood, Manager, Fiscal and Human Resources Division/CES Dept. BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JUL 1 6 2012 CASIBS

2012-2013 Public Housing Agency Annual Plan

PHA 5-Year and	U.S. Department of Housing and Urban	OMB No. 2577-0226		
Annual Plan	Development Office of Public and Indian Housing	Expires 4/30/2011		

1.0	PHA Information PHA Name: Orange County Housing ar PHA Type: ☐ Small ☑ H PHA Fiscal Year Beginning: (MM/YYY	igh Performing		93 ⊠ HCV (Section 8)		
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: 0 Number of HCV units: 1180					
3.0	Submission Type				***************************************	
	5-Year and Annual Plan Annual Plan Only					
4.0	PHA Consortia PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs			Programs Not in the Consortia	No. of Units in Each Program	
		Code	Consolua	Consortia	PH	HCV
	PHA 1:					
	PHA 2:					
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2	only at 5-4 ear	r Pian update.			
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: N/A- annual plan					e PHA's
5.2	Goals and Objectives. Identify the PHA low-income, and extremely low-income and objectives described in the previous N/A- annual plan	families for the				

PHA Plan Update

- (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:
- (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.
- (a) The Section 8 Administrative Plan has been updated and is scheduled to be discussed /approved in the next several months. OCHCD anticipates implementing a wed-based application process in the fall of this year for those applying to the waiting list.
- (b) The plan may be obtained at our office located at 525 East South St., Orlando, FL 32801.

Applicable Plan Elements:

1. <u>Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures</u> To be eligible for the HCV program:

- The applicant family must:
 - Qualify as a family as defined by HUD and the PHA.
 - Have income at or below HUD-specified income limits.
 - Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - Provide social security number information for family members as required.
 - Consent to the PHA's collection and use of family information as provided for in PHA-provided consent forms.

The PHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or the PHA.

The waiting list must contain the following information for each applicant listed:

6.0

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.
- The PHA will maintain a single waiting list for the HCV program

The PHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Other documents and information that should be brought to the interview

If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

- 2. <u>Financial Resources</u>—All funding for the Section 8 Program is received from the HUD quarterly allocation as determined by the Consolidated and Further Continuing Appropriations Act, 2012.
- 3. **Rent Determination** The PHA must make a rent reasonableness determination at initial occupancy and whenever the owner requests a rent adjustment. The owner and family first negotiate the rent for a unit. After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner's lease. All rents adjustments will be effective the first of the month following 60 days after the PHA's receipt of the owner's request or on the date specified by the owner, whichever is later.

- 4. <u>Operation and Management</u> All units assisted under the HCV program must meet HQS as established by HUD. All units are inspected at move-in, annually and when requested (special request) due to a problem by the tenant or landlord.
- 5. <u>Grievance Procedures</u> A copy of the hearing procedures are provided in the families briefing packet when they are admitted to the program. If a violation occurs that is a reviewable offence the tenant will receive a written notice of the violation. This notice will advise them of their right to request an informal hearing, in writing within ten days of the notice. Once this is received by the PHA a hearing is scheduled during the month that the termination would be effective. The tenant has the right to come and review their file along with any evidence the PHA has regarding the violation. The tenant may bring representation of their choosing to the informal hearing. The hearing officer will be someone other than the person who made or approved the decision to terminate. The hearing will be recorded. The tenant will be notified in writing from the hearing officer of the final decision.
- 6. Designated Housing for Elderly and Disabled Families. N/A
- 7. <u>Community Service and Self-Sufficiency</u> Orange County Housing and Community Development (OCHCD) operates a Family Self-Sufficiency (FSS) Program. We currently have 40 tenants enrolled. This program has been in existence for 13 years and has had approximately 41 graduates.
- 8. Safety and Crime Prevention. N/A
- 9. Pets. N/A
- 10. <u>Civil Rights Certification</u> Our analysis of impediments to Fair Housing was updated in 2011. During the analysis, we examined all of the programs administered by our office and identified any impediments to Housing Choice. We have taken appropriate actions to overcome the effects of any impediments identified during our analysis, and maintain records reflecting the analysis and actions taken.
- 11. <u>Fiscal Year Audit</u>—Based on the most recent Single Audit Independent Auditors' Report issued on March 19, 2012 for the fiscal year ended September 30, 2011, Orange County financial statements are fairly stated in all material respects when considered in relation to the financial statements taken as a whole. In addition, the results of the County's Single Audit for the fiscal year ended September 30, 2011 provided no instances of material weaknesses in the internal control system or significant violations of applicable laws and regulations related to federal or state financial assistance programs. An annual Single Audit was performed in conformity with the provisions of the Single Audit Act of 1984, the Single Audit Act Amendments of 1996, and the U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.
- 12. Asset Management. N/A
- 13. Violence Against Women Act (VAWA)- In accordance with the Violence Against Women Act (VAWA) Orange County Housing and Community Development (OCHD) developed and implemented policies and procedures protecting victims of domestic violence, dating violence, and stalking from discrimination. OCHD will not deny admission to an applicant who is, or has been, a victim of domestic violence, dating violence, or stalking, if the person otherwise qualifies for assistance. Additionally, we will not evict a current tenant or terminate the assistance of a current participant solely because the tenant or participant is, or has been, a victim of domestic violence, dating violence or stalking.

To comply with the VAWA Orange County Housing and Community Development has implemented policies protecting victims of domestic violence from discrimination. Owners may bifurcate a lease of those in a violent relationship, allowing the victim of violence to remain in the unit. OCHD will not deny admission to an applicant or terminate the assistance of a participant based solely on incidences of domestic violence, dating violence, sexual assault or stalking. Participants may be issued a voucher and move in violation of their lease or move under portability without having lived in the jurisdiction for twelve months to escape a life-threatening situation. All policies related to VAWA may be found throughout the Section 8 Administrative plan.

7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. Include statements related to these programs as applicable
	Not applicable
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.
	Not applicable
8.1	Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1, for each current and open CFP grant and CFFP financing.
	Not applicable
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the Capital Fund Program Five-Year Action Plan, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.
	Not applicable
8.3	Capital Fund Financing Program (CFFP). Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.
	Not applicable
	Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.
9.0	In the past year rents have begun to rise and renter demand is expected to continue to outpace growth in the number of new units. Landlords continue to actively seek Section 8 tenants. Currently, there is a ready supply of quality units in all sizes, and in all locations. The average rent in Orange County is higher than it was a year ago. It is currently \$877 compared to \$855 last year. One bedroom units are averaging \$734 a month, two bedroom units are \$886 and three bedroom units are \$962. Rental deals are becoming scare with only a quarter of apartment communities offering specials this month. As the elderly and disabled populations continue to grow in Orange County, it is clear that the need for affordable housing for these populations will be in demand.
9.1	Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.
	N/A –Annual plan. OCHCD is a Section 8 only, High Performing PHA. Next 5-year plan is due in FY 2015.

Additional Information. Describe the following, as well as any additional information HUD has requested.

- (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.
- (a) Goal 1: <u>Increase availability of decent, safe, and affordable housing</u>. We will apply for any new appropriate vouchers offered by NOFA. OCHCD continues to hold landlord briefings that are open to all Orange County landlords and property managers. The briefing keeps the landlords abreast of HCV policies, and guidelines as well as program changes and procedures.
- Goal 2: <u>Improve the quality of assisted housing</u>. Customer Service continues to be a high priority, and staff is continually trained in customer satisfaction. Our agency has been rated a high performer on SEMAP for seven out of the last eight years. OCHCD continues to provide in-house staff training on critical components of the program policies, guidelines, rules, and procedures, as well as on the software system, Housing Pro.
- Goal 3: Promote self-sufficiency and asset development of families and individuals. OCHCD through its Family Self-Sufficiency Program continues to encourage participants to secure employment, complete their GED requirements, and/or obtain higher learning degrees from an accredited college. During the past year we have served forty (40) families. Four (4) of these participants have successfully completed the program.
- Goal 4: Ensure equal opportunity in housing for all Americans. All staff delivers housing services in a manner that meet fair housing standards. Outreach is conducted at landlord briefing to educate the landlords of fair housing requirements. Inspectors provide apartment complexes with the fair housing logo-for display, and ensure program participants, who believe they have received discriminatory treatment to have the opportunity to address this by filing a formal complaint.
- (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"
- (b) Significant Amendment is defined as any change in the annual plan which changes the Section 8 Homeownership or Project-Based Voucher Program.

Substantial Deviation is defined as any significant amendment or modification to the Administrative Plan which changes a corresponding goal or objective in the 5-year plan.

Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.

- (a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations (which includes all certifications relating to Civil Rights)
- (b) Form HUD-50070, Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)
- (c) Form HUD-50071, Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)
- (d) Form SF-LLL, Disclosure of Lobbying Activities (PHAs receiving CFP grants only)
- (e) Form SF-LLL-A, Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)
- (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.

 (g) Challenged Elements
- (h) Form HUD-50075.1, Capital Fund Program Annual Statement/Performance and Evaluation Report (PHAs receiving CFP grants only)
- (i) Form HUD-50075.2, Capital Fund Program Five-Year Action Plan (PHAs receiving CFP grants only)

11.0

10.0

Certification of Consistency with the Consolidated Plan

U.S. Department of Housing and Urban Development

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's current, approved Con solidated Plan. (Type or clearly print the following information:)

Applicant Name:	Orange County Board of County Commissioners			
Project Name:	Housing Choice Voucher Program Annual Plan			
Location of the Project:	525 E. South Street			
	Orlando, FL 32801			
	Services will be provided county-wide			
Name of the Federal Program to which the applicant is applying:	Housing Choice Voucher Program			
approant is apprying.				
Name of Certifying Jurisdiction:	Orange County, Florida			
Certifying Official of the Jurisdiction Name:	Mitchell L. Glasser			
Title:	Manager			
Signature:	man IIn			
Date	5/11/12			



PHA Certifications of Compliance
with PHA Plans and Related
Regulations

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ____5-Year and/or_ \underline{x} _Annual PHA Plan for the PHA fiscal year beginning 0/1/12, hereinafter referred to as" the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

- 1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
- 2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
- 3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
- 4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
- 5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
- 6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
- 7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
- 8. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
- 9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
- 10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
- 11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

Previous version is obsolete Page 1 of 2 form **HUD-50077** (4/2008)

- 12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
- 13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5 105(a)
- 14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
- 15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- 16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
- 17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
- 18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
- 19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
- 20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
- 21. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
- 22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Housing and Community Development Div.	FL093
PHA Name	PHA Number/HA Code
5-Year PHA Plan for Fiscal Years 20 2	20
x Annual PHA Plan for Fiscal Years 20 12 - 2	20_13_
I hereby certify that all the information stated herein, as well as any information prosecute false claims and statements. Conviction may result in criminal and/or	n provided in the accompaniment herewith, is true and accurate. Warning: HUD will exist penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)
Name of Authorized Official	Title
Teresa Jacobs	Orange County Mayor
Signature And A	Date 7-16.12
Previous version is obsolete	Page 2 of 2 form HUD-50077 (4/2008)

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

APPROVED

BY ORANGE COUNTY BOARD DE COUNTY COMMISSIONERS

JUL 1 6 2012 CAS/85

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan

Ι,	Teresa Jacobs	the	Orange County Ma	ayor certify	y that	the Five	e Year	and
Annual	PHA Plan of the	Housing and Commu	nity Development Division is	consistent with	n the C	onsolida	ated Pla	an of
Orange	County	prepare	d pursuant to 24 CF	FR Part 91.				

Signed / Dated by Appropriate State or Local Official

form **HUD-50077-SL** (1/2009) OMB Approval No. 2577-0226 The Resident Advisory Board Meeting was held on April 10, 2012 at 9:00 a.m. at 701 E. South Street. It was attended by 5 members. The 2012 Annual Plan was reviewed and discussed. There were no concerns or complaints, nor requested changes to the 2012 Annual Plan.

The Public Hearing for the 2012 Annual Plan was held on June 20, 2012. No public comments were received.